

House Bill 440
February 20, 2007
Presented by Chris Smith
House Fish, Wildlife and Parks Committee

EXHIBIT 4
DATE 2.20.07
HB 440

Mr. Chairman and committee members, for the record I am Chris Smith, Chief of Staff of Montana Department of Fish, Wildlife & Parks (FWP).

House Bill 440 directs FWP to update the Montana Wolf Management Plan in a number of ways and establish a toll-free number for reporting wolves. FWP does not think HB 440 is necessary. HB 484 could also jeopardize the delisting process initiated on February 8, 2007; a risk we do not believe is in the state's best interest.

The new language in Subsection (4)(a) on lines 29 and 30 on page 1 of the bill directs FWP to evaluate the assumptions underlying the wolf management plan and correct any assumptions that have been shown to be erroneous by scientific research or field observations. We have reviewed the assumptions along with our experience over the past 2 years since taking on responsibility for wolf management, and see no need to revise the wolf plan based on that review.

Montana's wolf plan is based on the concept of adaptive management. As such, the plan is flexible enough that we can and do adapt along the way. The assumptions we made when developing the plan continue to appear reasonable and provide a sound basis for management actions.

The new language in Subsection (4)(b) on page 2 stipulates that any funding in excess of \$600,000 received by the department from the federal government for wolf management after the effective date of the bill must be used to compensate livestock owners for wolf-caused losses, to study the effect of wolf predation on ungulates or to address public health and safety issues. This direction is both impossible to implement and unnecessary.

The funding FWP receives from the federal government for wolf management is provided under a contract between FWP and the U.S. Fish and Wildlife Service (USFWS). That contract details FWP's responsibilities and limits how FWP can use the federal funds. That contract does not include payments for compensation and the USFWS has indicated they are not open to renegotiation of the contract to include such payments. Given that, the language on lines 3 and 4 of page 2 could force FWP to decline federal funding for on-the-ground wolf management activities that landowners and others have come to expect.

FWP worked with a broad range of interests to develop the Livestock Loss Reduction and Mitigation Program currently under consideration by the legislature in HB 364. The current version of HB 364 provides a \$1 million dollar state appropriation for the program and FWP have requested the Montana Congressional delegation provide federal funding specifically for that program. Thus, it is not necessary to redirect FWP's wolf management funds to this purpose.

With respect to research, FWP is already studying the effects of wolf predation on ungulates using funds other than those provided by the USFWS primarily for wolf management. Studies include white-tailed deer ecology and the role of winter severity in population dynamics in northwestern Montana and wolf-ungulate interactions and population trends within the Greater Yellowstone area, southwestern Montana, and Montana statewide (Hamlin 2006). Redirecting federal wolf management funding to these studies would needlessly cut into on-the-ground wolf management.

FWP considers public health and safety issues of paramount importance. We would not base our response to these issues on the availability of federal funds, and there are no unfunded needs in this regard.

Subsections (4)(c) and (d) call for reconsideration of incremental control of wolf packs and implementation of a policy to provide lethal removal of a wolf following a single predation incident. Incremental response to livestock depredation has advantages over complete pack removal in many circumstances; that's why it was recommended by the wolf advisory council and incorporated into the plan. However, the plan does not preclude complete pack removal if there are more than 15 breeding pairs in the state and the specific circumstances warrant that action. Further, nothing in the plan precludes FWP from authorizing USDA-AHPIS Wildlife Services from lethally removing wolves based on a single depredation incident, and we have done that on a number of occasions. Thus, no changes in the plan are necessary to address the issues raised by this part of the bill.

Section 2 of the bill directs the department to initiate a process to notify all counties and their citizens of the location and movement of wolf packs. We already do this. Results of radio-tracking flights by our wolf specialists are posted on FWP's website as soon as possible by our field staff. Our wolf management specialists also make frequent phone calls or ranch visits to keep landowners informed about wolf activity. It is important to note though that while radio telemetry is an important management tool, FWP does not, and cannot, know where every wolf pack or individual wolf, is at all times any more than we know where every bear or lion is. No one should rely on telemetry to assess risks associated with wolves. Many types of wildlife can pose a danger to people or livestock. There are many ways to minimize the risk and telemetry will always be a minor element in that regard.

Section 2 also directs FWP to establish a toll-free phone line for reporting wolf sightings. Given the distribution of our specialists and the wide variety of ways that the public can get information to FWP, including the wolf reporting feature on the FWP website, post cards, cell and office phones, and TIP-MONT, a 1-800 number for wolf sightings would simply duplicate existing avenues and create additional workload and expense that would take away field-based efforts.

The bottom line is that the proposed revisions to Montana's Wolf Management Plan are unnecessary and would preclude FWP from using federal funds to monitor and manage wolves. We don't need to spend time revising a sound management plan. We need to keep our wolf management specialists in the field, talking with landowners and the public and addressing real issues in real time.

Finally, and most importantly, changing the Montana Wolfe Management plan at this time would be unwise. If FWP were to undertake any revisions of our plan, or the Montana Legislature were to make any changes to Montana state law, the USFWS would have to reevaluate Montana's plan and state laws. This could postpone a final decision on the delisting proposal published on February 8, 2007. We have pressed the USFWS for the past 2 years to initiate delisting. The last thing we should do now is give them any reason to delay that process.

Changing our wolf plan would also give opponents of delisting an additional legal argument in the anticipated litigation over delisting.

We recommend you do not pass HB 440.